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RECEIVED

APR 16 2007

UTAH STATE
INSURANCE DEPT

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

STEPHEN H. BURTENSHAW
11 East 300 South
Blanding, UT 84511
License No. 50406

**STIPULATION
&
ORDER**

Docket No. 2007-043 LC

Enf. Case No. 1958

STIPULATION

1. Respondent, Stephen H. Burtenshaw, is a licensed insurance agent in the State of Utah, holding License No. 50406.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
 - b. Respondent admits the Findings of Fact and Conclusions made therefrom;
 - c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 13th day of April, 2007.


STEPHEN H. BURTONSHAW


UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On September 11, 2006, Respondent was convicted of Theft, a Class A Misdemeanor in the 7th District Court, San Juan County, State of Utah.
2. Respondent had, as a member of the Blanding Cemetery District Board, converted funds of the board without authorization to his own purposes.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In converting funds that Respondent held in a fiduciary capacity, and to which he was not entitled, to his own purposes, Respondent demonstrated that he does not meet the character requirements to hold an insurance license pursuant to Utah Code Annotated § 31A-23a-107(2).
2. Respondent's insurance agent's license should be revoked pursuant to Utah Code Annotated § 31A-23a-111(5)(b)(i).

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent's insurance agent's license is revoked forthwith.
2. Respondent shall not engage in the insurance business in the State of Utah, and shall not be an owner, officer, director, employee or agent of any entity engaged in the insurance

business in the State of Utah.

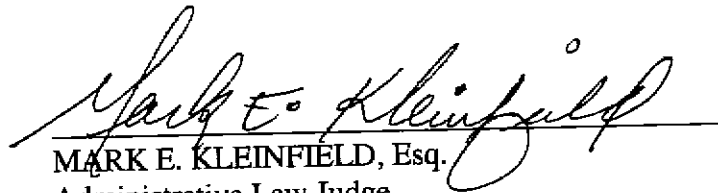
NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 18th day of April, 2007.

D. KENT MICHIE
INSURANCE COMMISSIONER

A handwritten signature in cursive script, reading "Mark E. Kleinfeld", is written over a horizontal line.

MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

CERTIFICATE OF MAILING

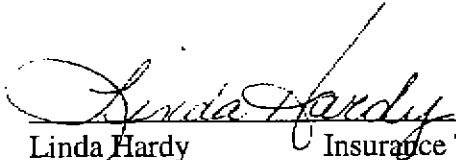
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

**STIPULATION
&
ORDER**

To the following:

STEPHEN H. BURTENSHAW
11 EAST 300 SOUTH
BLANDING, UT 84511

DATED this 19th day of April, 2007


Linda Hardy Insurance Technician
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901